

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA**

LIGTEL COMMUNICATIONS, INC.,

Plaintiff,

v.

BAICELLS TECHNOLOGIES INC.;
BAICELLS TECHNOLOGIES NORTH AMERICA
INC.,

Defendants.

Case No. 1:20-cv-00037-HAB-SLC

MOTION FOR ENTRY OF ORDER FOR PRELIMINARY INJUNCTION

Plaintiff LigTel Communications, Inc. moves this Court for an order granting LigTel's motion for a preliminary injunction and entering a preliminary injunction against Defendants BaiCells Technologies Inc. and BaiCells Technologies North America Inc. (collectively, "BaiCells"), or in the alternative, giving BaiCells notice that a preliminary injunction will issue if BaiCells does not respond to the motion for preliminary injunction within seven days.

On January 21, 2020, LigTel filed its Complaint seeking to enjoin BaiCells from holding itself out as LigTel by using LigTel's Home Network Identity number without authorization, and from misappropriating and threatening misappropriation of LigTel's trade secrets. Dkt. 1. LigTel also moved for a preliminary injunction because, absent this Court's intervention, LigTel is suffering and will continue to suffer irreparable harm as a result of BaiCells's actions. *See* Dkt. 4. Specifically, BaiCells's actions cause "service providers to wrongly believe that LigTel is improperly interfering with their networks and failing to follow international and industry-imposed telecommunications rules, which harms LigTel's standing, reputation, and goodwill in the industry." *Id.* at 1. BaiCells's actions also "cause immeasurable damage to the security and

integrity of LigTel’s network,” “create a serious and substantial risk that law enforcement will be unable to obtain critical information,” and “may cause LigTel’s customers to question LigTel’s ability to maintain and control its own network and secure their personal information and private communications.” *Id.* A preliminary injunction is therefore appropriate because without one LigTel will suffer irreparable harm for which it has no adequate legal remedy, LigTel will likely succeed on the merits of its unfair competition and trade-secret misappropriation claims, and the balance of equities favors an injunction. *See id.* at 8-14.

On January 22, 2020, BaiCells was served with the Complaint and Motion for Preliminary Injunction. Dkt. 10, 11. Pursuant to Local Rule 7-1(d)(3)(A), BaiCells’s response to the Motion for Preliminary Injunction was due on February 5, 2020. As of this filing, BaiCells has not responded to the Motion for Preliminary Injunction, filed an appearance in this matter, or otherwise contacted LigTel or counsel for LigTel.

Because BaiCells has failed to respond to the Motion, the Court may enter the Order attached, preliminarily enjoining BaiCells from its ongoing violations of the Lanham Act, federal trade secrets law, and Indiana state law. *See* Local Rule 7-1(d)(5). In the alternative, LigTel respectfully requests that the Court issue an order notifying BaiCells that failure to respond to LigTel’s Motion for Preliminary Injunction within seven days will result in entry of a preliminary injunction.

Dated: February 7, 2020

Respectfully submitted,

/s/ Gabriel K. Gillett

Samuel L. Feder (admitted *pro hac vice*)
Jenner & Block LLP
1099 New York Avenue, NW, Suite 900
Washington, DC 20001
(202) 639-6000

Michael J. Nelson
Gabriel K. Gillett (admitted *pro hac vice*)
Leigh J. Jahnig (admitted *pro hac vice*)
Jenner & Block LLP
353 N. Clark Street
Chicago, IL 60654
(312) 222-9350

*Attorneys for Plaintiff LigTel Communications,
Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on February 7, 2020, I caused the foregoing document to be filed electronically with the Clerk of the Court using the CM/ECF system and emailed a proposed order to brady_chambers@innd.uscourts.gov per this Court's CM/ECF User Manual, and sent a paper copy of the foregoing document and proposed order to the following defendants at the following addresses:

BaiCells Technologies Inc.
c/o Registered Agent Solutions, Inc.
9 E. Loockerman Street, Suite 311
Dover, DE 19901

BaiCells Technologies North America Inc.
c/o Registered Agent Solutions, Inc.
1701 Directors Blvd., Suite 300
Austin, TX 78744

BaiCells Technologies North America Inc.
555 Republic Drive, Suite 200
Plano, TX 75074

DATED: February 7, 2020

/s/ Gabriel K. Gillett